

## REMARKS

The present application includes claims pending claims 1-7, and 9-21. Claims 1-7, 9-10, and 16-21 have been allowed, while claims 11-14 have been rejected, while claim 15 has been objected to. By this Amendment, claims 11 and 16 have been amended as set forth above to correct minor drafting errors. The Applicants respectfully submit that all of the pending claims are allowable, as discussed below.

Claims 11-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 5,186,337 (“Foster”) in view of United States Patent No. 4,852,842 (“O’Neill”). In addition to the reasons previously set forth during prosecution of the present application, the Applicants respectfully traverse this rejection for the reasons set forth hereafter.

Foster discloses a “single pivotal axis 18 for the arms passes through the head end 19 of a bed 20 shown in outline form in FIG 1.” *See* Foster at column 3, lines 36-38. As shown in Figure 1, the “axis 18, is an axis of rotation, and not a physical structure. The bed 20 of Foster is not physically connected to the power column 15 or the monitor 121. The bed 20 is separate and distinct from the power column 15, the monitor 121, and any support structures connected to those components.

Foster describes that beds are positioned adjacent to power columns, but are not integrally connected to any portion thereof.

A bed is positioned with its head end adjacent to the power column and with the bed being positioned at the angle with respect to the power column that is most convenient for the attending nurse and for providing physiological services for the patient.

*See id.* at column 1, lines 12-16. Overall, neither Foster, nor O'Neill teach, nor suggest, "a movable support member having a first end **mounted to said patient support surface** and a second end mounted to said monitor," as recited in claim 11 of the present application. Instead, the monitor 121 of Foster is mounted to the power column 15 through arm 123, but is in no way mounted to the bed 20. Thus, at least for this reason, claims 11-15 should be in condition for allowance.

The Applicants also respectfully submit that there is no suggestion or motivation to combine Foster and O'Neill.

In order to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicants' disclosure.

*See* Manual of Patent Examining Procedure (MPEP) at §§ 2142-2143. Initially, the Applicants note the combination of Foster and O'Neill does not teach, nor suggest all of the limitations of claim 11, as set forth above and during prosecution of the present application.

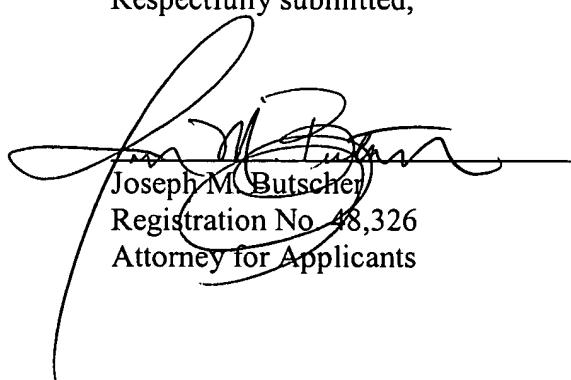
Foster relates to a power column used within a hospital setting. *See* Foster at column 1, lines 5-10. On the other hand, O'Neill "relates generally to an apparatus

having an articulated boom to support an appliance." *See O'Neill at column 1, lines 5-7.* The Applicants respectfully submit that there is no suggestion or motivation to combine the power column of Foster, which is used in hospital settings, with the appliance support boom of O'Neill. Instead, the present application is being used to provide the motivation and suggestion to combine these references from disparate fields. As such, the Applicants submit that Foster and O'Neill are not properly combinable, and thus, a *prima facie* case of obviousness has not been established at least for this reason.

### CONCLUSION

At least for the reasons set forth above and previously during prosecution of the present application, the Applicants respectfully submit that the pending claims define allowable subject matter. The Applicants look forward to working with the Examiner to resolve any remaining issues in the application. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited and encouraged to contact the Applicants at the number below. The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account No. 07-0845.

Respectfully submitted,

  
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